

SENATE BILL REPORT

SB 5742

As Reported By Senate Committee On:
Transportation, March 8, 2001

Title: An act relating to design-build procedures for public works.

Brief Description: Extending design-build for public works.

Sponsors: Senators Haugen, Horn, Winsley, Oke and McDonald; by request of The Blue Ribbon Commission on Transportation.

Brief History:

Committee Activity: Transportation: 2/12/01, 3/8/01 [DPS].

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: That Substitute Senate Bill No. 5742 be substituted therefor, and the substitute bill do pass.

Signed by Senators Haugen, Chair; Gardner, Vice Chair; Benton, Eide, Finkbeiner, Horn, Jacobsen, Johnson, Kastama, McAuliffe, Oke, Prentice, T. Sheldon, Shin and Swecker.

Staff: Jennifer Ziegler (786-7316)

Background: The Legislature and the Governor formed the Blue Ribbon Commission on Transportation in 1998 to assess the local, regional and state transportation system; ensure that current and future money is spent wisely; make the system more accountable and predictable; and prepare a 20-year plan for funding and investing in the transportation system. The commission consisted of 46 members representing business, labor, agriculture, tribes, government, ports, shipping, trucking, transit, rail, environmental interests and the general public.

The commission made 18 recommendation to the Governor and the Legislature. Recommendation Eight directed the Washington State Department of Transportation (WSDOT) to incorporate the design-build process and its variations into construction projects to achieve the goals of time savings and avoidance of costly change orders.

Currently, the WSDOT construction and contracting procedure requires the department to award the contract for the design phase prior to contracting for the construction phase of a project. Design-build authority would allow the department to enter into a single contract with a design-build contractor. The contractual responsibility to the state for full performance of all phases of the contract would be vested in the design-build contractor.

Summary of Substitute Bill: The WSDOT is granted authority to use the design-build process and other alternative project delivery concepts in projects costing over \$10 million. WSDOT must select projects based upon either greater innovation, highly specialized construction activities, or significant savings in project delivery time.

The contracting rules for any request for proposal remain the same as those for higher education, cities, counties and port districts.

WSDOT may purchase new auto ferries through the use of a modified request for proposal process, in which the prevailing shipbuilder and WSDOT engage in a design-build partnership. The request for proposal to interested parties must include outline specifications providing vessel requirements, vessel delivery schedule, estimated price range for the contract, and a requirement that the vessel be constructed in Washington.

Substitute Bill Compared to Original Bill: General design-build authority only applies to the WSDOT, not the Washington State Patrol or Department of Licensing. Provisions are added to use design-build authority for the construction of auto ferries.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Design-build is used extensively throughout the country. Estimates indicate about a one-third savings in construction time. Design-build is not intended to supplant state employees, but is meant for large, peak workloads. This legislation represents the interests of several groups and strikes a good balance between those various interests.

Testimony Against: None.

Testified: Doug Hurley, BRCT; Terry McCarthy, WSF; Don Briscoe, WFSE; Brian Ziegler, WSDOT; Jackie White, WAC; Ashley Probart, AWC; Randy Ray, Todd Shipyard; Joe King, Len McComb, GE/Martinac.